

REMARKS

Summary of the Office Action

Claims 1 and 3 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by *Asai* (U.S. Patent No. 5,593,710).

The Examiner is thanked for indicating that claims 5, 7 and 8 are allowed.

Summary of the Response to the Office Action

Claims 1, 3, 5, 7 and 8 remain pending for further consideration with claims 5, 7 and 8 having been allowed.

The Rejection under 35 U.S.C. §102(b) based on *Asai*

Claims 1 and 3 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by *Asai*. Applicants respectfully traverse the rejection for at least the following reasons.

With respect to independent claim 1, Applicants still respectfully submit that *Asai* does not teach or suggest the claimed combination including at least that “the pair of mold bodies and the conduction member are structurally separated by the first heat suppressing member.”

The Office Action cites to Fig. 1 of *Asai* to allege at page 3 that the first member (72) is interposed between a pair of mold bodies (50, 70) and the conduction member (25), thus structurally separating the conduction member (25) from the mold bodies (50, 70). Applicants respectfully disagree.

Applicants respectfully submit that Fig. 1 of *Asai* is a schematic view showing a dissected mold in order to illustrate that a stamper S is capable of being mounted selectively on either a movable half-mold side 30 or a stationary half-mold side 10, and for this reason, the half-mold sides 30, 10, and the pair of mold 50, 70 are separated from each other. (See lines 44-55 of column 2 of *Asai*.) In other words, Applicants respectfully submit that it is improper merely based on Fig. 1 of *Asai* to determine that the first member (72) structurally separates the conduction member (25) from the mold bodies (50, 70). As shown in both Fig. 2 and Fig. 4 of *Asai*, Applicants respectfully submit that the conduction member 25 have portions in the stationary half-mold side 10 which are in contact at least with the mold body 70, and therefore, the conduction member 25 does not structurally separate the conduction member (25) from the mold bodies (50, 70). Accordingly, Applicants respectfully submit that *Asai* fails to teach or suggest at least that "the pair of mold bodies and the conduction member are structurally separated by the first heat suppressing member," as recited in claim 1.

For similar reasons, with respect to independent claim 3, Applicants respectfully submit that *Asai* does not teach or suggest the claimed combination including at least that "the pair of mold bodies and the conduction means are structurally separated by the first heat suppressing means," as recited in claim 3.

For at least the above reasons, Applicants respectfully assert that the rejection under 35 U.S.C. § 102(b) based on *Asai* should be withdrawn because *Asai* does not teach or suggest each and every feature of independent claims 1 and 3. As pointed out in MPEP § 2131, "[t]o anticipate a claim, the reference must teach every element of the claim." Thus, "[a] claim is

anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Verdegaal Bros. v. Union Oil Co. Of California, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987)."

The Examiner is thanked for indicating that claims 5, 7 and 8 are allowed.

With no other rejection pending, Applicants respectfully submit that claims 1, 3, 5, 7 and 8 are in condition for allowance.

Conclusion

Applicants respectfully request reconsideration of the subject application in view of the above remarks. The subject application is now in condition for allowance and early notice to that effect is respectfully solicited.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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